

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24789 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- PIPRA District- East Champaran

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1. Anil Kumar Singh S/o Ramji Singh R/o vill - Jamuniya, P.s.- Pipra, Distt.- East Champaran
 2. Bhola Kumar s/o Late Arvind Singh R/o vill- Mahadichak, Maner, P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food Corporation Limited.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ashutosh Kumar, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP
For the B.S.F.C.	:	Mr. Nirmal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-07-2025 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing for the State and learned counsel appearing on behalf of the Opposite Party No. 2/Bihar State Food Corporation Limited.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 316(5), 316(2), 318(4) and 3(5) of the Indian Penal Code.

3. As per prosecution case, it is alleged that Petitioner No. 1 being the Chairman and Petitioner No. 2 being the Manager of the Jamuniya P.A.C.S., East Champaran have defalcated 256.2 M.T. paddy worth Rs. 56,56,896/-.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. However, at this stage, without admitting their guilt, by filing supplementary affidavit, petitioners undertakes to deposit the disputed defalcated amount amounting to Rs. 56,56,896/- (Rupees fifty six lacs fifty six thousand eight hundred ninety six only) in easy installments.

5. Considering the nature of accusation and aforesaid undertaking of the petitioners, prayer for grant of anticipatory bail to the petitioners is allowed.

6. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, East Champaran at Motihari in connection with Pipra P.S. Case No. 222 of 2024, subject to conditions as laid down under Section 482(2) of the B.N.S.S., along with the following terms and conditions:

- A. Petitioners shall pay the alleged defalcated amount amounting to Rs. 56,56,896/- (Rupees fifty six lacs fifty six thousand eight hundred ninety six only) in 6 equal installments amounting to Rs. 9,42,816/- (Rupees nine lacs forty two thousand eight



hundred sixteen) each within a period of one year from the date of furnishing bail-bond through demand draft in the Office of the District Manager, Bihar State Food Corporation Limited, Patna.

- B.** A receipt of payment of first installment shall be furnished at the time of furnishing bail bond.
- C.** If petitioners fail to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioners.

7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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